

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**American Oil and Gas, Incorporated
440 West Division Street
Sparta, Michigan 49345**

ATTENTION:

Mr. Jason Berris

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring American Oil and Gas, Incorporated (American Oil and Gas or you) to submit certain information about its facility, the BP Gas facility at 6045 60th Street, Gaines Township, Michigan. Appendix C specifies the information that you must submit. Appendix B specifies the instructions needed to answer this information request. You may assert a claim of business confidentiality according to the requirements in Appendix A. You must send this information to us within 21 calendar days after you receive this request.

We are issuing this information request under Section 114(a) of the Clean Air Act (the Act), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

American Oil and Gas owns and operates an emission source at its Gaines Township, Michigan facility. We are requesting this information to determine whether your emission source is complying with the Michigan State Implementation Plan.

You must send all required information to:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

Under 40 C.F.R. Part 2, Subpart B, you may assert a claim of business confidentiality for any portion of the submitted information. You must specify the page, paragraph, and sentence when identifying the information subject to your claim. Appendix A specifies the assertion and substantiation requirements for business confidentiality claims. American Oil and Gas must submit all requested information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

We may use any information submitted in response to this request in an administrative, civil, or criminal action.

This request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 et seq., because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation. To aid in our electronic recordkeeping efforts, EPA requests that you provide all documents responsive to this request in an electronic format in accordance with a. through f., below. These submissions are in lieu of hard copy.

a. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for “image over text” to allow the

document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.

b. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

c. Provide submission on physical media such as compact disk, flash drive or other similar item.

d. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).

e. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please also mark each page that is confidential business information as such.

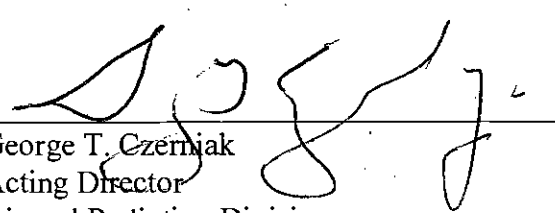
f. Certify that the attached files have been scanned for viruses and indicate what program was used.

Failure to comply fully with this request for information may subject American Oil and Gas to an enforcement action under Section 113 of the Act, 42 U.S.C. § 7413.

You should direct any questions about this request for information to Katharina Bellairs at 312.353.1669.

Date

6/22/12


George T. Czerniak
Acting Director
Air and Radiation Division

Appendix A

Confidential Business Information (CBI) Assertion and Substantiation Requirements

A. Assertion Requirements

You may assert a business confidentiality claim covering any parts of the information requested in the attached letter, as provided in 40 C.F.R. § 2.203(b). To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document over which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a legend to indicate the intent to claim confidentiality. The stamped or typed legend or other suitable form of notice should employ language such as "trade secret" or "proprietary" or "company confidential" and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by the United States Environmental Protection Agency (EPA) only to the extent permitted and by means of the procedures set forth by Section 114(c) of the Clean Air Act (the Act), and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the attached letter as a waiver of that claim, and the information may be made available to the public without further notice to you.

Please segregate personnel, medical and similar files from your responses and include that information on separate sheet(s) marked as "Personal Privacy Information" given that disclosure of such information to the general public may constitute an invasion of privacy.

B. Substantiation Requirements

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208 which provides in part that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; and that the information is not and has not been reasonably obtainable by legitimate means without your consent.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking you to substantiate fully your CBI claim. If you receive such a letter, you must provide EPA with a response within the number of days set forth in the EPA request letter. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential. **You must be specific by page, paragraph, and sentence when identifying the information subject to your claim.** Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being subject to CBI, you must answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question #1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?
7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Any other issue you deem relevant.

Please note that emission data provided under Section 114 of the Act, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2. "Emission data" means, with reference to any source of emission of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which,

under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. §§ 2.301 (a)(2)(i)(A), (B) and (C).

Emission data includes, but is not limited to, service records stating the amount of refrigerant added to a unit or reclaimed from a unit.

If you receive a request for a substantiation letter from the EPA, you bear the burden of substantiating your confidentiality claim. Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Appendix B

When providing the information requested in Appendix C, use the following instructions and definitions.

INSTRUCTIONS

1. Provide a separate narrative response to each question and subpart of a question set forth in the information request.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) that provided information that was used or considered in responding to that question, as well as each person that was consulted in the preparation of that response.
3. Indicate on each document produced in response to this information request, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where documents or information necessary for a response are neither in your possession nor available to you, indicate in your response why such documents or information is not available or in your possession and identify any source that either possesses or is likely to possess such information.

DEFINITIONS

All terms used in this request for information will have their ordinary meaning unless such terms are defined in the Act, 42 U.S.C. §§ 7401 et seq., 40 C.F.R. Part 52 (which incorporates the federally-approved State Implementation Plan), or other Clean Air Act implementing regulations. Reference is made to the EPA regulatory provisions only; however, you should apply the applicable federally-approved state provisions, when appropriate. Definitional clarification is specified below.

1. The terms “document” and “documents” shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The terms “relate to” or “pertain to” (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.

Appendix C

The following information must be supplied in accordance with the foregoing Request for Information pursuant to Section 114 of the Clean Air Act 42 U.S.C. § 7414.

1. Provide a complete list of addresses for all gasoline dispensing facilities located in the State of Michigan operated by American Gas and Oil Incorporated.
2. Provide a complete list of those stationary vessels that have a capacity of 2,000 gallons or greater and receive gasoline. For each vessel, provide the location of the gasoline dispensing facility where the vessel resides, and indicate whether or not these stationary vessels are equipped with a permanent submerged fill pipe.
3. For each vessel listed in response to question 2 with a permanent submerged fill pipe, provide true, accurate, and complete copies of documentation that these stationary vessels are equipped with a permanent submerged pipe.
4. For each gasoline dispensing facility located in the geographic areas defined in the attached table, provide true, accurate, and complete copies of documentation that each stationary vessel of more than 2,000 gallon capacity receiving gasoline is controlled by a vapor balancing system (Stage I vapor recovery) and equipped, maintained, or controlled with both of the following:
 - a. An interlocking system or procedure to ensure that the vapor-tight collection line is connected before any gasoline can be loaded.
 - b. A device to ensure that the vapor-tight collection line shall close upon disconnection so as to prevent release of gasoline vapor.
5. Provide true, accurate, and complete copies of all records of inspections, maintenance, repairs and parts replacement since January 1, 2003, associated with the vapor balancing systems, including but not limited to the vapor recovery connections and pressure vacuum relief valves on stationary vessels of more than 2,000 gallon capacity receiving gasoline located in the geographic areas defined in Appendix D.

Appendix D

List of major metropolitan areas
(Subject to R 336.1606, R 336.1607, R 336.1608, R 336.1703, R 336.1704, and R 336.1705)

Metropolitan area	County	Affected area(1)
1) Detroit	Macomb	T3N, R12E, Sections 3-10, 15-22, & 27-34 T3N, R13E, Sections 25, 35, & 36 T3N, R14E, Sections 11-14 & 19-32 T3N, R15E, Sections 7 and 18 T4N, R12E, Sections 27-34 Macomb County south of the T2N north township line
	Oakland	T1N, R8E, Sections 1-36 T1N, R9E, Sections 1-36 T1N, R10E, Sections 1-36 T1N, R11E, Sections 1-36 T2N, R8E, Sections 1-3, 10-16, & 19-36 T2N, R9E, Sections 1-36 T2N, R10E, Sections 1-36 T2N, R11E, Sections 1-36 T3N, R8E, Sections 13-15, 20-29, & 33-36 T3N, R9E, Sections 1-36 T3N, R10E, Sections 2-36 T3N, R11E, Sections 1-5 & 7-36 T4N, R9E, Sections 17, 19-22, & 26-36 T4N, R10E, Sections 1-3, 10-12, 14-16, 20-23, 25-29, & 31-35 T5N, R10E, Sections 22, 26-29, 34, & 35
	Washtenaw	T2S, R5E, Sections 12-27 & 36 T2S, R6E, Sections 7-11 & 13-36 T2S, R7E, Sections 18, 19, & 29-36 T3S, R6E, Sections 1-6, 8-17, 23, & 24 T3S, R7E, Sections 1-26
	Wayne	All areas except the following: T1S, R8E, Sections 5-8, 17-20, 30, & 31 T2S, R8E, Sections 5-9, 16-21, & 28-30 T3S, R8E, Sections 31-35 T4S, R8E, Sections 2-36 T4S, R9E, Sections 1-5 & 9-36 T4S, R10E, Sections 7, 8, 17, & 18
2) Flint	Genesee	T6N, R5E, Sections 1-3

Metropolitan area	County	Affected area(1)
		T6N, R6E, Sections 1-6, 11-14, 24, & 25 T6N, R7E, Sections 1-30 T7N, R5E, Sections 34-36 T7N, R6E, Sections 1-36 T7N, R7E, Sections 1-36 T7N, R8E, Sections 3-11, 14-19, 21, 22, and 30 T8N, R5E, Sections 13-15, 22-27, & 34-36 T8N, R6E, Sections 1, 2, 11-14, & 19-36 T8N, R7E, Sections 5-11 & 13-36 T9N, R6E, Sections 11, 14, 15, 22-27, 35, and 36 T9N, R7E, Sections 31 & 32
3) Grand Rapids	Kent	T5N, R11W, Sections 4-8, 17, & 18 T5N, R12W, Sections 1, 12, & 13 T6N, R10W, Sections 3-10, 15-21, & 28-33 T6N, R11W, Sections 1-36 T6N, R12W, Sections 1-36 T7N, R10W, Sections 28-35 T7N, R11W, Sections 3-10, 15-23, & 25-36 T7N, R12W, Sections 1-36 T8N, R11W, Sections 13-16, 19-23, & 26-34
	Ottawa	T5N, R13W, Sections 4 & 5 T6N, R13W, Sections 9-16, 21-29, 32, & 33
4) Lansing	Clinton	T5N, R2W, Sections 4, 5, 7-9, 15-18, 20-23, 26-29, & 31-35 T5N, R3W, Sections 33-36
	Eaton	T3N, R3W, Sections 1-3 & 9-12 T4N, R3W, Sections 1-4, 9-16, 20-26, 35, and 36
	Ingham	T3N, R2W, Sections 1-12 14-16, 22, & 23 T4N, R1W, Sections 2-11, 14-23, 26-29, & 33 T4N, R2W, Sections 1-36

1.

CERTIFICATE OF MAILING

I, , certify that I sent a Request to Provide Information Pursuant to the Clean Air Act by

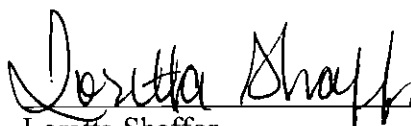
Certified Mail, Return Receipt Requested, to:

Mr. Jason Berris
American Oil and Gas, Incorporated
440 West Division Street
Sparta, Michigan 49345

I also certify that I sent a copy of the Request to Provide Information Pursuant to the
Clean Air Act by First-Class Mail to:

Heidi Hollenbach
State Office Building, 5th Floor
350 Ottawa Avenue NW, Unit 10
Grand Rapids, Michigan 49503-2341

On the 25 day of June 2012.



Loretta Shaffer

AECAB, Planning and Administration Section

CERTIFIED MAIL RECEIPT NUMBER:

70091680 0000 7672 9543